

3p/ 2672
7
Butte

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael Perani and Yong Joo Kil Art Unit : 2672
Serial No. : 09/898,653 Examiner : Chante E. Harrison
Filed : July 3, 2001
Title : PAINTING INTERFACE TO COMPUTER DRAWING SYSTEM CURVE
EDITING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

JAN 29 2004

Technology Center 2600

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Under 37 CFR §§1.8(b) and 1.181, applicant hereby petitions to withdraw the Notice of Abandonment mailed December 17, 2003 (copy enclosed). The application was abandoned under 37 CFR §1.135 for failure to respond to the Office Action mailed May 28, 2003.

The undersigned, applicant's attorney of record, first became aware of the abandonment on December 23, 2003, upon receipt of the Notice of Abandonment and submits that this petition to withdraw the Notice is being promptly submitted as required by 37 CFR §1.8(b)(1).

The following documents are submitted under 37 CFR §1.8(b)(2) as proof that a Response was timely filed on August 28, 2003:

1. A copy of the response to the Office Action, including an executed certificate of mailing signed by Diana M. Bradley on August 28, 2003;
2. A copy of the Auto-Reply Facsimile Transmission which was received from the Patent Office on August 28, 2003 confirming receipt of the Reply to Office Action; and

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

January 22 2004

Signature

Aimee Durham

Typed or Printed Name of Person Signing Certificate

Aimee Durham

Applicant : Michael Perani and Yong Joo Kil
Serial No. : 09/898,653
Filed : July 3, 2001
Page : 2 of 2

Attorney's Docket No.: 07844-507001 / P470

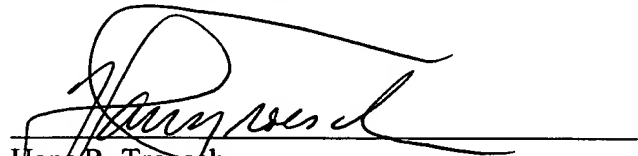
3. An original signed declaration under 37 CFR §1.8(b)(3) by Diana M. Bradley, attesting on the basis of personal knowledge that the above documents were timely filed on August 28, 2003.

Applicant submits that the response to the Office Action was timely filed and requests that the Notice of Abandonment be withdrawn.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 22 Jan 04


Hans R. Troesch
Reg. No. 36,950

Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, California 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael Perani and Yong Joo Kil Art Unit : 2672
Serial No. : 09/898,653 Examiner : Chante E. Harrison
Filed : July 3, 2001
Title : PAINTING INTERFACE TO COMPUTER DRAWING SYSTEM CURVE
EDITING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

JAN 29 2004

STATEMENT OF TIMELY MAILING UNDER 37 CFR §1.8 Technology Center 2600
STATEMENT OF DIANA M. BRADLEY

I, DIANA M. BRADLEY, declare as follows:

I am an employee of the law firm of FISH & RICHARDSON P.C.

On August 28, 2003, I signed the certificate of mailing stamped directly on the correspondence entitled Reply to Action Mailed May 28, 2003 and Amendment, which indicated that the correspondence was being submitted by facsimile to the United States Postal Service on August 28, 2003. I sent the facsimile, received the confirmation and received the Auto-Reply Facsimile Transmission.

I have reasonable basis to expect that the correspondence was received by the United States Patent and Trademark Office on August 28, 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

January 22 2004

Signature

Aimee Durham

Typed or Printed Name of Person Signing Certificate

Applicant : Michael Perani and Yong Joo Kil
Serial No. : 09/898,653
Filed : July 3, 2001
Page : 2 of 2

Attorney's Docket No.: 07844-507001 / P470

Respectfully submitted,

Date: January 22, 2004

Liana M. Bradley
Diana M. Bradley

Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, California 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

50195458.doc